

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
WESTERN DIVISION**

IN RE: JUAN AGUAS ROMERO, *et al.*,

Plaintiffs,

v.

DRUMMOND COMPANY, INC., *et al.*,

Defendants.

}
}
}
}
}
}
}
}
}
}
}
}

CASE NO. CV-03-BE-0575-W

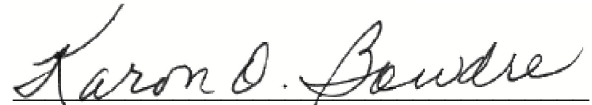
ORDER

As discussed at the hearing on Defendants' motion for summary judgment, held on February 27, 2007, the court hereby ORDERS:

1. Both parties to submit briefing on the question of whether Plaintiffs' late-discovered witness, Rafael Garcia, may be permitted to testify at trial, or whether this court may exclude his trial testimony because of his late disclosure. The briefs shall not exceed 10 pages in length, and shall be due on Friday, March 9, 2007, by 12:00 p.m..
2. Plaintiffs to submit, on or before Friday, March 16, 2007, any evidence necessary to establish that, as a practical matter, they will be able to secure the deposition and/or trial testimony of Mr. Garcia while he is incarcerated in Colombia.
3. Defendants to submit, if necessary, any brief in opposition to Plaintiffs' affidavit regarding wrongful death under Colombian law, on or before March 21, 2007. Plaintiffs' reply, if necessary, shall be due on or before April 4, 2007. The

parties' briefs shall not exceed 10 pages in length.

DONE and ORDERED this 5th day of March, 2007.

A handwritten signature in cursive script, reading "Karon O. Bowdre". The signature is written in black ink and is positioned above a horizontal line.

KARON OWEN BOWDRE
UNITED STATES DISTRICT JUDGE